

United States Small Business Administration as  
Receiver for Coqui Capital Partners, LP  
409 3<sup>rd</sup> Street, SW  
Washington, DC 20416

February 12, 2008

**VIA FACSIMILE**

The Honorable Laura Taylor Swain  
U.S. District Court Judge  
United States District Court  
for the Southern District of New York  
500 Pearl Street, Room 755  
New York, New York 10007

**MEMORANDUM ENDORSED**

The ECF system provides notice of the entry of this Order to each party that has both entered an appearance in this case and registered with ECF. The ECF-registered attorneys are responsible for providing notice to any co-counsel whose e-mail addresses are not reflected on the ECF docket for this case, and Plaintiff's counsel, upon receiving notice of this Order, is hereby ordered to fax or otherwise deliver promptly a copy to all parties who are not represented by ECF-registered counsel. A certificate of such further service shall be filed within 5 days from the date hereof. Counsel who have not registered for ECF are ordered to register immediately as filing users in accordance with the Procedures for Electronic Case Filing.

Re: Request for Change of Pre-Trial Conference Date  
Civil Case No. 08 Civ 978 (LTS)  
U.S. Small Business Administration as Receiver for Coqui  
Capital Partners, LP v. Coqui Capital Management, LLC et. al

Dear Judge Swain:

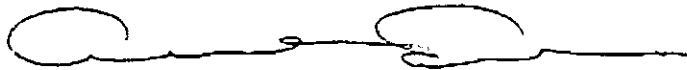
I am lead counsel for the United States Small Business Administration as Receiver for Coqui Capital Partners, LP, plaintiff in the above-referenced matter, and was admitted to practice *pro hac vice* as lead counsel by this Court's Order of February 8, 2008 (Docket No. 4).

By Order dated February 6, 2008 (Docket No. 2), this Court ordered, among other things, that the parties attend a pre-trial conference on Friday, May 9, 2008 at 2:15pm. Through this letter, I am respectfully requesting that the Court modify the Order and change the date of the pre-trial conference as I will be on holiday until Thursday, May 15, 2008. I will be in the office Friday, May 16, 2008 and will also be available through Thursday, May 8, 2008 in the event the Court grants this request and would prefer to set the hearing for an earlier date.

Although no defendants have yet been served, I have spoken with Donald Zakarin of Pryor Cashman, LLP, who has indicated that his firm will likely be representing the majority of the defendants. I have also contacted my co-counsel William Young. Neither counsel has any objection to this request and both have been sent a copy of this letter via email.

Thank you for your consideration of this request. If there is anything else you require from me, please do not hesitate to contact me at (202) 205-6976 or via email at [Arlene.embrey@sba.gov](mailto:Arlene.embrey@sba.gov).

Respectfully yours,




Arlene M. Embrey

cc: William B. Young, SAUSA via email at [William.Young@usdoj.gov](mailto:William.Young@usdoj.gov)  
Donald S. Zakarin, Esq. via email at [DZakarin@pryorcashman.com](mailto:DZakarin@pryorcashman.com)

The conference is adjourned to May 23, 2008,  
at 10:00 AM.

SO ORDERED.



2/13/08  
LAURA TAMM LINCOLN  
UNITED STATES DISTRICT JUDGE